

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA : INDICTMENT

- v. - : S1 10 Cr. 863 (AKH)

MANUEL ALADINO SUERO, :
JOSE GERMAN RODRIGUEZ-MORA,
a/k/a "Gordo," :

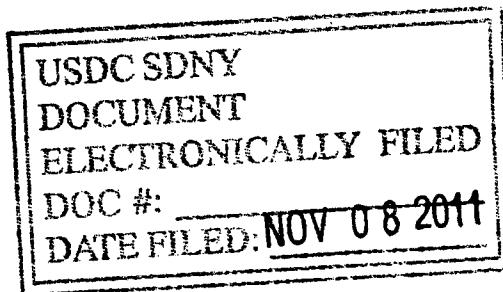
ALBERTO REYES,
a/k/a "Zac," :

JOE FERNANDEZ, and
LUIS RIVERA, :

Defendants. :

- - - - - x

COUNT ONE



The Grand Jury charges:

1. On or about February 22, 2000, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, a conspiracy to distribute, and to possess with the intent to distribute, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, MANUEL ALADINO SUERO, JOSE GERMAN RODRIGUEZ-MORA, a/k/a "Gordo," ALBERTO REYES, a/k/a "Zac," JOE FERNANDEZ, and LUIS RIVERA, the defendants, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Arturo Cuellar-Tijerina in the vicinity of 3225 Parkside Place, Bronx, New York.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT TWO

The Grand Jury further charges:

2. On or about February 22, 2000, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, a conspiracy to distribute, and to possess with the intent to distribute, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, MANUEL ALADINO SUERO, JOSE GERMAN RODRIGUEZ-MORA, a/k/a "Gordo," ALBERTO REYES, a/k/a "Zac," JOE FERNANDEZ, and LUIS RIVERA, the defendants, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Ideofonso Flores-Vivero in the vicinity of 3225 Parkside Place, Bronx, New York.

(Title 21, United States Code, Section 848(e)(1)(A); and Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

3. On or about February 22, 2000, in the Southern District of New York and elsewhere, MANUEL ALADINO SUERO, JOSE GERMAN RODRIGUEZ-MORA, a/k/a "Gordo," and ALBERTO REYES, a/k/a "Zac," the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate and foreign commerce, and to use and cause another to use the mail and any facility of interstate and foreign commerce, with

intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, to wit, MANUEL ALADINO SUERO, JOSE GERMAN RODRIGUEZ-MORA, and ALBERTO REYES agreed with others to pay other individuals to kill Ideofonso Flores-Vivero and Arturo Cuellar-Tijerina, in exchange for currency and other things of pecuniary value, and in the course thereof did communicate through a facility of interstate commerce, which resulted in the murder of Flores-Vivero and Cuellar-Tijerina in the vicinity of 3225 Parkside Place, Bronx, New York.

(Title 18, United States Code, Section 1958.)

COUNT FOUR

The Grand Jury further charges:

4. On or about February 22, 2000, in the Southern District of New York, MANUEL ALADINO SUERO, JOSE GERMAN RODRIGUEZ-MORA, a/k/a "Gordo," and ALBERTO REYES, a/k/a "Zac," the defendants, and others known and unknown, knowingly did travel in and cause another to travel in interstate and foreign commerce, and did use and cause another to use the mail and any facility of interstate and foreign commerce, with intent that murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, to wit, MANUEL ALADINO SUERO, JOSE GERMAN

RODRIGUEZ-MORA, and ALBERTO REYES, paid other individuals to kill Ideofonso Flores-Vivero and Arturo Cuellar-Tijerina, and in the course thereof did communicate through a facility of interstate commerce, after which those individuals shot and killed Flores-Vivero and Cuellar-Tijerina, in the vicinity of 3225 Parkside Place, Bronx, New York.

(Title 18, United States Code, Sections 1958 and 2.)

COUNT FIVE

The United States Attorney further charges:

5. On or about February 22, 2000, in the Southern District of New York, JOE FERNANDEZ, the defendant, willfully and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, a conspiracy to distribute, and to possess with the intent to distribute, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of that crime did cause the death of two people through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, FERNANDEZ caused the death of Ideofonso Flores-Vivero and Arturo Cuellar-Tijerina, by discharging a firearm at Flores-Vivero and Cuellar-Tijerina, and aiding and abetting the

discharge of a firearm, in the vicinity of 3225 Parkside Place, Bronx, New York.

(Title 18, United States Code, Sections 924(j)(1) and 2.)

FOREPERSON



Preet Bharara
PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

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MANUEL ALADINO SUERO,
JOSE GERMAN RODRIGUEZ-MORA, a/k/a "Gordo,"
ALBERTO REYES, a/k/a "Zac," JOE FERNANDEZ, and
LUIS RIVERA,

Defendants.

INDICTMENT

S1 10 Cr. 863 (AKH)

(18 U.S.C. §§ 924(j), 1958 and 2,
21 U.S.C. § 848(e)(1).)

PREET BHARARA
United States Attorney.


FOREPERSON

11/8/2011 - A TRUE BILL. FILED. PREVIOUSLY ASSIGNED TO
AK. JUDGE HELDSTEIN.

J. FRANCIS
U.S. M.J.